

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

| | | |
|--------------------------|---|-------------------------|
| DAVID HOLMA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 05-230 |
| |) | |
| U.S. SPECIALTY INSURANCE |) | Judge Lancaster |
| COMPANY, |) | Magistrate Judge Hay |
| |) | |
| Defendant. |) | |


ORDER

AND NOW, this 14th day of July 2005, after the defendant, U.S. Speciality

Insurance Company, filed a Notice of Removal in the above-captioned case, and after a Motion to Have Case Transferred to State Court was submitted by plaintiff, David Holma, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that plaintiff's Motion to Have Case Transferred to State Court [Docket No. 7] is GRANTED and the case is to be remanded to the Court of Common Pleas of Allegheny County, Civil Division, at No. GD-05-990.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he/she must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.



GARY L. LANCASTER
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

Neil J. Marcus, Esquire
Marcus, Black & Spadafore
204 West Main Street
P.O. Box 652
Monongahela, PA 15063-0652

Frank C. Sluzis, Esquire
William R. Balaban, Esquire
Dion G. Rassias, Esquire
Michael V. Brown, Esquire
Elliott, Greenleaf, Siedzikowski & Balaban
27 North Front Street
P.O. Box 1284
Harrisburg, PA 17108-1284